

REMARKS

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

Claims 1-7, 14 and 15 stand finally rejected under 35 USC § 103 as being obvious from Yoshida Japanese Patent document JP 3-244527 in view of Shiozaki U.S. Patent No. 5,504,308 or Buckley et al. U.S. Patent No. 5,919,387. Applicants respectfully traverse this rejection.

Claim 1 has been amended to specify that the coating that is being heated is a coating adhered on the substrate, based on the description in the specification at page 3, lines 23 to 28. Claim 1 has also been limited to directly applying the susceptor element on the coating, based for example on the description in the specification at page 4, lines 12 to 14, and in the drawings at Fig. 1. No new matter has been added.

In finally rejecting the claims of this application, the Examiner has taken the position that the cited Yoshida reference discloses a "coating (material 4) on the substrate." The amendment made to claim 1 more clearly distinguishes over Yoshida, wherein the "coating (material 4)" referred to is in fact a heat shrinkable plastic sleeve. In Yoshida, the coating adhered on the substrate 1 is the "film 2" and, in Yoshida, the auxiliary heating means (6) is not applied directly on the coating 2, but is applied on the heat shrink sleeve 4. As seen from the English language translation of a portion of the Yoshida reference submitted in the second supplemental information disclosure statement dated July 15, 2002, when the auxiliary heating means 6 is applied, the contact portion between the sleeve 4 and the coating 2 is not fully heated. At this

stage, the end portions of the sleeve 4 are not fully shrunk down or adhered to the coating 2, and the auxiliary heater 6 is used to assist in heating up these end portions, and to cause them to shrink down.

In the Office action, the Examiner admits that Yoshida does not disclose an inductively heatable susceptor element applied on the coating, still less does it disclose or suggest an inductively heatable susceptor element that is applied directly on a coating that is adhered on the inductively heatable substrate.

Instead, Yoshida discloses applying an auxiliary heating means, for example, a resistively heated ribbon heater, heating plate heater or the like that is unsuitable for field work, and has all the disadvantages enumerated in the amendment dated February 23, 2004, on a non-heated and non-shrunk end portion of a heat shrink sleeve 4 that is not adhered to the substrate. Accordingly, Yoshida does not disclose or suggest the claimed method or the advantages that permit a sleeve covering to be applied in the field to pipeline coated with high temperature polypropylene or like coatings that need to be heated to a high temperature in order to form an effective seal with the heat shrink sleeve.

The secondary references, Shiozaki or Buckley, show inductively heatable susceptor elements, and the Examiner argues it would be obvious to substitute an inductively heatable susceptor element instead of Yoshida's plastic portion 4. While the Shiozaki and Buckley references selected by the Examiner were published after Yoshida's application date, there are numerous disclosures before Yoshida's filing date of using inductive susceptors for heating plastics, such as Leatherman U.S. Patent No. 4,541,891 cited in the Shiozaki reference and Buckley et al. U.S. Patent No. 4,521,659 cited in the Buckley reference.

If such substitution were merely an obvious matter, it is surprising Yoshida did not mention the use of an inductive susceptor, in view of the surprising and unexpected advantages, and chose only to mention ribbon heaters, heating plate heaters and like heaters which are resistively heated and are highly disadvantageous under field conditions. Yoshida's conspicuous failure to mention use of an inductive susceptor indicates that its use is not at all obvious to one of ordinary skill in the art at the time of the invention.

In any event, even if were proper to combine the disclosures of Yoshida with either the Shiozaki or Buckley references (which applicants do not admit), it would not result in applicants' method, since Yoshida's element 6 is applied on sleeve portion 4 which is not adhered to the inductively heatable substrate 1, and is not applied directly on a coating 2 adhered on the substrate 1 as now claimed.

Since the remaining claims 2-7, 14 and 15 are dependent on claim 1, they are and are distinguished over, and not obvious from the cited art for the same reasons.

It is respectfully submitted that the application has now been brought into a condition where allowance of the entire case is proper. Reconsideration and issuance of a notice of allowance are respectfully solicited.

Respectfully submitted,

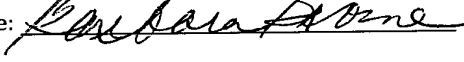


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